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AHIE: UNIVERD SIVANIES OF AVIOLETRICA

TO ML TO VHOM THUSE PRESENTS SHALL COME: Board of Regents, Unibersity of Rebraska and Agricultural Research Service, USDA

Thereas, there has been presented to the

Secretary of Agriculture

an application requesting a certificate of protection for an alleged distinct variety of sexually reproduced, or tuber propagated, plant, the name and description of which are contained in the application and exhibits, a copy of which is hereunto annexed and made a part hereof, and the various requirements of LAW in such cases made and provided have been complied with, and the title thereto is, from the records of the Plant Variety Protection Office, in the applicant(s) indicated in the said copy, and WHEREAS, upon due examination made, the said applicant(s) is (are) adjudged to be entitled to a certificate of plant variety protection under the LAW.

NOW, Therefore, this certificate of plant variety protection is to grant unto the said applicant(s) and the successors, heirs or assigns of the said applicant(s) for the term of twenty years from the date of this grant, subject to the payment of the required fees and periodic replenishment of viable basic seed of the variety in a public repository as provided by LAW, the right to exclude others from selling the variety, or offering it for sale, or sproducing it, or importing it, or exporting it, or conditioning it for propagation, or king it for any of the above purposes, or using it in producing a hybrid or different therefrom, to the extent provided by the Plant Variety Protection Act. In the States seed of this variety (i) shall be sold by variety name only as a class of certified shall conform to the number of generations specified by the owner of the rights. (a mended, 7 u.s.c. 2321 et seq.)

WHEAT

'Niobrara'

In Testimonn Murrost, I have hereunto set my hand and caused the seal of the Hunt United Protection Office to be affixed at the City of Washington, D.C. this thirty-first day of July in the year of our Lord one thousand

March 1 A

ommissioner

Plant Variety Protection Office Saricultural Warbetina Service YUMOMM Secretary of Agriculture

ARS. USDA

SEP 1 4 1995

'Niobrara' (P.I. 584996) Hard Red Winter Wheat Application

Exhibit A. Origin and Breeding History:

Niobrara is an F₃-derived line that was identified in 1989 and tested as NE89522. Niobrara was released primarily for its high yield potential and resistance to diseases and insects in its area of adaptation. Niobrara was selected from the cross 'TAM 105'*4/'Amigo'//'Brule' sel which was made in 1983 by Dr. J. W. Schmidt. The F₁ generation was grown in the greenhouse in 1984. The F₂ and F₃ generations were grown in bulk at Mead, Nebraska in 1985 and 1986, respectively. Random heads were chosen from the F₃ bulk and planted as head rows which were harvested in 1987. The F_3 -derived F_5 family was harvested as a single observation plot in 1988. In 1989, Niobrara was grown in six locations in unreplicated trials in Nebraska. Niobrara was identified in these trials as NE89522. It has been tested in replicated trials from 1990 to present. In addition, it has been tested in the USDA Northern Regional Performance Nursery in 1992 and 1993. The criteria for selection were: a) adequate winterhardiness for propagation in Nebraska, b) resistance to Puccinia graminis (the causal agent of stem rust), c) agronomic performance equal or superior to commonly grown wheat varieties, and d) acceptable end-use quality (in this case for bread making). The initial allocation of Foundation seed of the experimental line (NE89522) to certified growers was made in September, 1994 to produce adequate quantities of certified seed (subject to the release of the experimental line). Niobrara was named and released in January, 1995 by the Nebraska Agricultural Experiment Station, the South Dakota Agricultural Experiment Station, and the Agricultural Research Service, U.S. Department of Agriculture. The first public sale of certified seed was in August, 1995.

Niobrara will be maintained by the Nebraska Agricultural Experiment Station with the following classes: Breeder, Foundation, Registered, and Certified. Breeder seed will be maintained by roguing Breeder Seed fields. The U.S. Department of Agriculture will not have

seed for distribution.

Niobrara appears stable and uniform over eight generations of selfing and during seed increase. Less than 0.1 percent of the plants were rogued from Foundation and Breeder seed Fields. It is expected that less than 0.1% (1:1000) variant plants (that are taller, 5 to 10 cm taller and/or red-chaff) may be encountered in subsequent generations.

Exhibit B. Novelty Statement

Niobrara is most similar to the hard red winter wheat cultivars, Redland and TAM107, but it can be distinguished by the following characteristics.

- Niobrara is moderately susceptible to leaf rust (caused by Puccinia recondita 1. Roberge ex Desmaz.) whereas Redland contains Lr16 which conveys a higher level of leaf rust resistance.
- In data provided by Dr. Jim Hatchet, USDA-ARS and Department of Entomol-2. ogy, Kansas State University, Manhattan, KS 66506, Niobrara is susceptible to the Great Plains biotype of Hessian fly (Mayetiola destructor Say). Redland is resistant to the Great Plains Biotype.
- Niobrara is white (Munsell 10YR 8/2) chaffed whereas TAM107 is bronze 3. (Munsell 5YR 6/6) chaffed.
- 4. In replicated trials, involving 10 environments (5 locations in 1992 and 5 locations in 1993), Niobrara averaged 10 cm taller than TAM107. The variances for genotypes among the environments were homogeneous, hence a combined analysis of variance can be undertaken. In fact, data from 8 of the 10 environments were used in a published study that determined that the variances were homogeneous and that measuring as few as two replications in an environment was sufficient to differentiate lines that were 6 cm different in height (Budak,

N., P. S. Baenziger, and K. M. Eskridge. 1995. Effect of replications on measuring wheat plant height. Can. J. Plant Sci. 75:171-173). A protected LSD (p=0.05) for plant height for the mean line values using data from the 10 environments was less than 3.2 cm. Hence the plant height difference between Niobrara and TAM107 is greater than 3 times the LSD value. As plant height can be influenced by the environment, an Eberhart and Russell stability measurement was also made. The stability regression coefficient for Niobrara was 0.95 with a standard error of 0.06 while the stability regression coefficient for TAM107 was 0.97 with a standard error of 0.06. The similarity of the stability regression coefficients indicate that no crossover interactions exists for these two lines (i.e. Niobrara is always taller than TAM107). The stability analysis and procedures are described in Budak, N., P. S. Baenziger, K. M. Eskridge, D. Baltensperger, and B. Moreno-Sevilla. 1995. Plant height response of semidwarf and nonsemidwarf wheats to the environment. Crop Sci. 35: 447-451.

Exhibit C. See Attached Sheet

Exhibit D. Additional Description of the Variety:

Niobrara is an awned, white-glumed cultivar. The foliage is green, with a waxy bloom at anthesis. The spike is middense and tapering. The glume is midlong and wide. The glume shoulder is narrow and square. The beak is short. Kernels are red colored, hard textured, and ovate. The kernel has no collar, rounded cheeks, midsize germ, large brush of short length, and a narrow and shallow crease.

Niobrara was tested in Nebraska yield trials starting in 1990, and the Northern Regional Performance Nursery in 1992 and 1993. Niobrara has had an excellent yield performance record in Nebraska. It was the highest grain yielding line in the Nebraska Fall Sown Small Grains Variety Trials in each year that it was tested (1993 and 1994, 26 environments). The average grain yield was 3890 kg/ha for Niobrara which was superior to 'Alliance' (3830 kg/ha), 'Vista' (3700 kg/ha), 'Redland' (3690 kg/ha) and 'Siouxland' (3450 kg/ha). Niobrara also had the highest average yield of the fifteen lines tested in both 1992 and 1993 in the Uniform Northern Regional Performance Nursery (28 environments). In the 4 yr (1991-1994, 20 environments) that Niobrara (3180 kg/ha) has been tested in the Nebraska Intrastate Nursery, only 'Alliance' (3260 kg/ha) had a superior yield record. For comparison, the grain yield of Redland, Vista, Arapahoe, and TAM107 were 3070, 3040, 3000, and 2840 kg/ha, respectively. The recommended growing region for Niobrara is southwest Nebraska, northern Nebraska, and the Nebraska panhandle where its winterhardiness, plant height, tolerance for cooler weather, and disease resistance are most effective.

Niobrara is a semidwarf cultivar that is 11 cm taller than Vista (74 cm), 5 cm taller than Alliance (80 cm) and similar in height to Redland (84 cm), a taller, semidwarf cultivar. The straw strength of Niobrara is superior to Arapahoe, but less than Redland, Siouxland, TAM 107, 'Abilene', and 'Thunderbird'. Niobrara has an intermediate coleoptile length (similar to TAM107), but the coleoptile is 30% shorter than the coleoptile of Scout 66. The winterhardiness of Niobrara is adequate for Nebraska growing conditions, superior to 'Vona', 'TAM 200', and 'Rawhide', and similar to Scout 66. Niobrara is a medium maturity wheat

(two days later than Alliance and two days earlier than Redland).

Niobrara is heterogeneous for secalins encoded by the <u>Sec-1</u> locus which is indicative of the Amigo translocation (1A/1R). Niobrara has exhibited moderate resistance to stem rust (caused by <u>Puccinia graminis</u> Pers.: Pers.) and carries <u>Sr6</u> and is heterogeneous for the Amigo gene. Niobrara is moderately susceptible to leaf rust (caused by <u>Puccinia recondita</u> Roberge ex Desmaz.) and is susceptible to the Great Plains biotype of Hessian fly (<u>Mayetiola destructor</u> Say) and soilborne wheat mosaic virus. Its reaction to wheat streak mosaic virus needs further testing, however, under artificial inoculation in greenhouse evaluations, it appears to be slightly less tolerant than Redland, but superior to many Nebraska released cultivars. The Amigo translocation may also confer non-preference to the virus vector, (wheat curl mite, <u>Aceria tulipae</u> Kiefer).

The grain volume weight of Niobrara is similar to Alliance, superior to Redland, but lower than Arapahoe, Siouxland, and Nekota. The milling and baking properties of Niobrara

were determined using 5 yr of testing by the Nebraska Wheat Quality Laboratory with Arapahoe and Scout 66 as check cultivars. The average wheat and flour protein content of Niobrara is lower than Arapahoe and similar to Scout 66. The flour yield is less than Scout 66, but higher than Arapahoe. The dough mixing properties were similar to Arapahoe and stronger than Scout 66. While the baking absorption of Niobrara was less than Arapahoe and Scout 66, average loaf volumes were greater than the two check cultivars. The external appearance and internal attributes of the baked bread loaf indicated generally acceptable quality characteristics.

Exhibit E. Statement of the Basis of the Applicant's Ownership

The University of Nebraska and the USDA/ARS are the applicants for protection in the case of Niobrara hard red winter wheat being the variety for which Plant Variety Protection is hereby sought was developed by Drs. P. S. Baenziger, B. Moreno-Sevilla, J. W. Schmidt, and D. Shelton, employees of the University of Nebraska, and C. J. Peterson, an employee of USDA-ARS. By agreement between employees of the University of Nebraska and by agreement between USDA-ARS and the University of Nebraska, all rights to any invention, discovery, or development made by employees while employed by the University of Nebraska or by USDA-ARS employees stationed at the University of Nebraska, are jointly assigned to the University of Nebraska and USDA-ARS, with no rights of any kind to Niobrara being retained by the employees.

Exhibit E Statement of the basis of ownership

		,	
1.	Does the applicant own all rights to the variety? If no, please explain.	Yes	No
	Is the applicant (individual or company) a U.S. national or U.S. based company? If no, give country	Yes	No
3.	Is the applicant the original breeder? If no, please answer the following:	Yes_i	No
	a. If original rights to variety were owned by individual(s): Is (are) the original breeder(s) a U.S. national(s)? If no, give country	Yes	No
	b. If original rights to variety were owned by a company: Is the original breeder a U.S. based company? If no, give country	Yes	No
Note	2:		
Plan crite	t variety protection can be afforded only to variety owners (not lic	ensees) who me	et the following
natio	f the rights to the variety are owned by the original breeder, that ponal of a UPOV member country, or national of a country which a onals of the U.S. for the same genus and species.		
com	f the rights to the variety are owned by the company which employ pany must be U.S. based, owned by nationals of a UPOV member country which affords similar protection to nationals of the U.S. f	country, or ow	ned by nationals
	f the applicant is an owner who is not the original breeder, both the icant must meet the above criteria.	e original breed	er and the
	original breeder may be the individual or company who directed for (2) for definition.	inal breeding. S	ee PVPA Section

U.S. DEPARTMENT OF AGRICULTURE AGRICULTURAL MARKETING SERVICE SCIENCE DIVISION BELTSVILLE, MARYLAND 20705

OBJECTIVE DESCRIPTION OF VARIETY

WHEAT (Triticum spp.)

NAME OF APPLICANT(S)	Board of Regents, University of Ne	braska and	FOR OFFICE	AICHGE-ONLV		
	Agricultural Research Service, USD	7700710				
ADDRESS (Street and No. or	R.F.D. No., City, State, and Zip Code)		PVPO NUMBER	9500318		
	Lincoln, NE 68583-0745		VARIETY NAME			
	Washington, D.C. 20250	•	NIOBRARA			
			TEMPODADY OR FUN			
			TEMPORARY OR EXP DESIGNATION	ERIMENTAL		
			NE89522	•		
on a minimum of 100 plants. standard may be used to deter	UCTIONS CAREFULLY: Place the appropriate number that g.g or) when number is either 99 or less or 9 Comparative data should be determined from varieties enteremine plant colors; designate system used: ons for your variety; lack of response may delay p	or less respectively. Da ed in the same trial. Roy	ata for quantitative plant cl yal Horticultural Society or	homostania di Caritta di Cari		
1. KIND:	, , , , , , , , , , , , , , , , , , ,	ogress or jour upp	Action.			
1	1=Common 2=Durum 3=Club 4=	Other (SPECIFY)				
2. VERNALIZATION:						
2	1=Spring 2=Winter 3=Other (SPECII	FY)	<u>,</u>	· · · · · · · · · · · · · · · · · · ·		
3. COLEOPTILE ANT	HOCYANIN:			·		
1	1=Absent 2=Present					
4. JUVENILE PLANT	GROWTH:					
2	1=Prostrate 2=Semi-erect 3=Erect	:				
. PLANT COLOR (bo	ot stage):			·		
2	1 = Yellow-Green 2 = Green 3 = Blue-G	Freen				
. FLAG LEAF (boot st	tage):					
2	1 = Erect 2 = Recurved	1	1 = Not Twisted	2 = Twisted		
. EAR EMERGENCE:						
0 2	Number of Days Earlier Than REDLAND			*		
0 2	Number of Days Later Than ALLIANCE			*		
. ANTHER COLOR:		.84 798.1	and the second second			
	1 = YELLOW 2 = PURPLE)			
. PLANT HEIGHT (fre	om soil to top of head, excluding awns):	net /		<u>, , , , , , , , , , , , , , , , , , , </u>		
0 5	cm Taller ThanALLIANCE			*		
	cm Shorter Than REDLAND			*		
			•			

* Relative to a PVPO-Approved Commercial Variety Grown in the Same Trial

10. STEM:	Exhibit C (Wheat) P
A. ANTHOCYANIN 1= Absent 2=Present	
<u> </u>	
B. WAXY BLOOM 1=Absent 2=Present	
2 l=Absent 2=Present	
C. HAIRINESS (last internode of rachis)	
1=Absent 2=Present	
D. INTERNODE (SPECIFY NUMBER)	<u>. 5</u>
	=Solid
E. PEDUNCLE	
2 1=Absent 2=Present	
cm Length	
11. HEAD (at Maturity): A. DENSITY	
2 1=Lax 2=Middense 3= Del	DSA
	use
B. SHAPE $1 = \text{Tapering} \qquad 2 = \text{Strap} \qquad 3 = 3$	
1 -1	Clavate 4 = Other (SPECIFY)
C. CURVATURE $1 = \text{Erect} \qquad 2 = \text{Inclined} \qquad 3 = R$	
	lecurved
D. AWNEDNESS	
$1 = A \text{wnless} \qquad 2 = A \text{pically Awnlet}$	tted 3 = Awnletted 4 = Awned
12. GLUMES (at Maturity):	
A. COLOR $1 = \text{White} \qquad 2 = \text{Tan} \qquad 3 = \text{Other}$	
	r (SPECIFY)
B. SHOULDER	
$1 = Wanting \qquad 2 = Oblique \qquad 3 =$	= Rounded 4 = Square 5 = Elevated 6 = Apiculate
C. BEAK	
$1 = Obtuse \qquad 2 = Acute \qquad 3 = Acute$	uminate
DLENGTH	
$1 = Short (ca. 7mm) \qquad 2 = Medium$	(ca. 8mm) 3 = Long (ca. 9mm)
E. WIDTH	· .
3 1 = Narrow (ca. 3mm) 2 = Medium	(ca. 3.5mm) 3 = Wide (ca. 4mm)
13. SEED:	
A. SHAPE	
$\boxed{1} \qquad 1 = \text{Ovate} \qquad 2 = \text{Oval} \qquad 3 = \text{Ellipt}$	ical
B. CHEEK	
1=Rounded 2=Angular Sc. Old ZZ ddS S6.	
C. BRUSH 9E: OW ZZ 335 96.	
1=Short 2=Medium 3=Long	1 = Not Collared 2 = Collared
09V9-2MA-ADSU	1 = Not Collared 2 = Collared
D. CREASE 1 = Width 60% or less of Kernel	
2 = Width 80% or less of Kernel	1 = Depth 20% or less of Kernel 2 = Depth 35% or less of Kernel
3 = Width Nearly as Wide as Kernel	3 = Depth 50% or less of Kernel
Market Control of the	and the control of th

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15.	INSECT:	(0=Not Tested;	1=Susceptible;	2-Doniet - 4			Exhibit C (Wheat) Page
2.45		(, and a dollar,	r-susceptible,	2=Resistant;	3=Intermediate;	4=Tolerant)	
٠	·	·	PLEASE	SPECIFY BIOT	TYPE (where needed)	
	Hessian	Fly (Mayetiola destr		Ot	her (SPECIFY)		
		GREAT PLAINS	BIOTYPE				<u> </u>
	Stem Sar	wfly (Cephus spp.)		Ot	her (SPECIFY)		
÷	Cereal L	eaf Beetle <i>(Oulema)</i>	nelanopa)	Ot	ier (SPECIFY)		
	Russian A	Aphid <i>(Diuraphis no</i>	oxia)	Otl	er (SPECIFY)		
	Greenbug	g (Schizaphis gramin		О н 	er (SPECIFY)		
-	Aphids 0 -			оњ — [er (SPECIFY)		•

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NSDA-AMS-PVPO

HARD RED WINTER WHEAT

MILLING AND BAKING PROPERTIES

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	CRUMB		ģ	+ 5 գ	- uʻ	<u></u>		ď	i ii	. ტ	Ŋ		ģ	: ±	±	Ϋ́Θ	
	CRUMB		Ş	5 d	. .	g		+	<u>+</u>	g	Ŋ		VG-	ර	<u>‡</u>	ΥĠ	
	EXTERNAL APPEARANCE		O/A	, ,	· 9>			9	т +	Ö	VG-		Ġ	+	ල්	•	
BAKING	LOAF	8	00g	006	1040	945	920	970	890	930	955	936	895	915	810	965	968
	MIX TIME	min	cr.	9,00	9.0	5.3	5.7	4.5	6.0	5.8	5.0	53	80.00	3.7	4.0	3.7	3.8
	BROMATE	шда	0	000	15.0	10.0	8.3	5.0	0.0	12.0	10.0	6.8	12.0	8.0	0.0	12.0	8.0
	ABSORP- TION	%	0.09	59.0	0.09	90.0	59.8	63.0	60.0	61.0	64.0	62.0	64.0	61.0	61.0	65.0	62.8
MIXOGRAPH	PEAK TOLERANCE TIME SCORE		3.0	3.0	4.0	3.0	6.	3.0	3.0	4.0	3.0	3.3	3.0	3.0		3.0	3.0
MIX	PEAK 1	min	3.0	5.5	4.0	3.7	4.	4.2	5.2	3.5	4.0	4.4	3.8 8.0	3.2		2.8	3.4
	FLOUR ASH	%	0.42	0.33	0.46	0.34	0.39	0.46	0.38	0.48	0.37	0.44	0.42	0.37		0.35	0.39
	MILL	*		6.69	73.4	71.1	71.5	70.3	69.2	71.5	71.5	70.6	71.6	71.9	74.4	71.3	72.4
	FLOUR	8	12.6	10.1	11.2	11.4	11.3	14.0	11.2	11.8	12.9	12.3	11.4	11.2	11.9	12.6	11.7
	H H	%	13.5	11.8		13.0	12.8	15.4	12.4		13.7	13.6	12.5	12.4		13.3	12.7
	YEARS TESTED		1989	1990	1991	1992	AVERAGE	1989	1990	1991	1992	AVERAGE			1991	1992	AVERAGE
	NAME		NE89522				-	ARAPAHOE				-	SCOUT 66				7

9500318

1993-94 State Variety Trial Results

VARIETY	SE*	SC	WC	PAN	AVG	RANK
	4**	3	11	8	26	
ARAPAHOE	45.75	49.77	54.90	51.38	51.82	7
RAWHIDE	44.55	46.67	56.52	55.30	53.16	6
REDLAND	44.83	49.43	59.40	55.49	54.81	5
SIOUXLAND	43.83	43.93	55.34	52.46	51.36	8
VISTA	45.28	50.50	57.43	58.37	55.05	4
NEKOTA	50.88	53.67	60.06	54.16	56.09	3
ALLIANCE	48.35	48.00	59.30	61.28	56.92	2
NIOBRARA	48.30	49.17	62.06	60.20	57.88	1

^{*} District where the trials were grown ** Number of trials within the district

1991-1994 SUMMARY OF NIN YIELD TRIALS

VARIETY	YLDL	YLDC	YLDN	AFDWC	YLDS	YLDA	STATEAV	STAVG_NP91	STAVBYDS	RANKSTAVG	RANKBYDIS
ARAPAHOE	41.853	38.600	44.040	29.995	54.959	57.840	44.600	46.392	44.548	7	8
BUCKSKIN	34.065	35.523	35.808	32.955	50.884	58.713	40.549	42.228	41.325	11	11
CENTURA	38.390	40.330	43.198	42.705	53.977	59.503	45.512	47.375	46.351	5	. 3
VISTA	39.545	38.587	45.218	34.320	53.325	61.100	45.189	46.565	45.349	6	6
RAWHIDE	38.450	35.760	44.615	35.530	51.402	59.060	43.921	45.580	44.136	9	9
REDLAND	41.548	38.523	46.508	36.960	50.909	59.700	45.702	47.290	45.691	3	5
SIOUXLAND	38.128	39.517	45.540	33.680	56.034	62.397	45.547	47.035	45.883	4	4
TAM 107	38.030	31.483	40.525	32.650	55.005	58.553	42.202	43.808	42.708	10	10
TAM 200	32.385	28.450	35.350	39.780	42.407	58.297	38.642	40.317	39.445	12	12
NEKOTA	42.440	39.393	38.638	33.180	57.645	56.370	44.069	45.694	44.611	8	7
ALLIANCE	41.130	40.183	47.638	34.555	63.690	67.003	48.507	50.012	49.033	1	1
NIOBRARA	40.200	37.790	47.845	36.330	58.440	65.050	47.236	48.802	47.609	2.	2.